

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

STEPHEN YOUNG, et al,

Plaintiffs,

V.

MCLENNAN COUNTY,

Defendant.

6:23-CV-00608-ADA-JCM

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 25. The report recommends Defendant's Motion to Dismiss (ECF No. 6) be **GRANTED in part** and **DENIED in part**. The report and recommendation was filed on April 25, 2024.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996)).

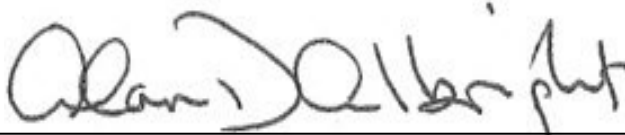
Defendant filed objections on June 9, 2024. ECF No. 29. The Court has conducted a *de novo* review of the motion, the responses, the report and recommendation, the objection to the

report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske., ECF No. 25, is **ADOPTED**.

THEREFORE, IT IS ORDERED that the Motion is **GRANTED** as to Defendant's Motion regarding Plaintiffs' claims under 42 U.S.C. § 1983 based on *Kingsley* for the reasons discussed in the Report and Recommendation. **IT IS FURTHER ORDERED** that Defendant's Motion to Dismiss Plaintiffs' Complaint is **DENIED** regarding Rule 8, as well as the County's Motion to Dismiss Plaintiffs' *Monell* claims.

SIGNED this 23rd day of September, 2024.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE